

As a computer professional with more than 20 years experience it is my strong belief that the broadcast flag proposed in FCC 02-231 does an extreme dis-service to the consumers. In particular it seems likely that the measures proposed would provide inconvenience significant a great number of people and restrict fair use in the name of preventing piracy.

History has shown that determined pirates with an economic incentive will eventually bypass any security measures, however strong. Protection measures built into DirectTV satellite, the Microsoft XBox, Sony Microsoft, and the DVD industry all have succumbed over time. Economic pirates generally take advantage of their piracy by producing counterfeit goods that are then sold to unwitting, honest consumers.

None of the measures presented, in my professional opinion, offer anything other than annoyance to anyone. They will unnecessarily restrict fair use, they will not deter economically oriented pirates and most importantly they will not advance adoption of DTV receivers and equipment. Consumers will reject solutions which cause them to lose features. This in part was why the adoption of DVDs took so long (lack of record) and, for example, why the older ReplayTV products with automatic commercial skip (a feature new units lack) sell well in the used equipment market.

The content industry has a history of adopting "the sky is falling" with every new technology and they sound their own death knell at every turn. Don't accept their cry of "wolf". If the content consumer is treated fairly then they will treat the content producers fairly.